

W/JS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

JUN 09 2020

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

Donna Washington

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

See attached

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Complaint for Violation of Civil Rights

(Non-Prisoner Complaint)

Case No. 20 CV 267 JED-FHM

(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

☐ Mail ☐ No Cert Svc ☐ No Orig Sign
☐ C/J ☐ C/MJ ☒ C/Ret'd ☐ No Env
☐ No Cyps ☒ No Env/Cyps ☐ O/J ☐ O/MJ

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed *in forma pauperis*.

IFD
Summ

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Donna Washington</u>
Street Address	<u>1935 S. 140th E. AVE</u>
City and County	<u>Tulsa</u>
State and Zip Code	<u>Oklahoma, 74108</u>
Telephone Number	<u>(918) 576-1402</u>
E-mail Address	<u>DWashington.lee@gmail.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	<u>See attached</u>
Job or Title (if known)	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address (if known)	<u></u>

☐ Individual capacity

☐ Official capacity

Defendant No. 2

Name _____
Job or Title _____
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known) _____
☐ Individual capacity ☐ Official capacity

Defendant No. 3

Name _____
Job or Title _____
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known) _____
☐ Individual capacity ☐ Official capacity

Defendant No. 4

Name _____
Job or Title _____
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____

Telephone Number _____

E-mail Address _____
(if known)

☐ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

The Oklahoma State Department of
Human Services, violated my 4th, 5th, and
14th Constitutional rights.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State

- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See attached - Section “D” of the complaint.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

The events arose, at the plaintiff's home.

- B. What date and approximate time did the events giving rise to your claim(s) occur?

The events arised on June 15th, 2018,
around 7:00 p.m.

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See attached - Statement of the Claim

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

See attached- Injuries and Relief.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

See attached- Injuries and Relief

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 06/08/2020

Signature of Plaintiff

Donna Washington

Printed Name of Plaintiff

Donna Washington

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

D. Washington vs Oklahoma State Department of Human Services Filed: 06/08/2020

Defendant Contact List**Defendant No. 1**

Name Naciska Gilmore
Job Title Child Welfare Specialist
Street Address 444 S. Houston
City and County Tulsa
State and Zip Code Oklahoma, 74127
Telephone Number (918) 581-2033
E-mail Address Naciska.Gilmore@OKDHS.org

☐ Individual capacity ☒ Official Capacity

Defendant No. 2

Name Latressa Avery
Job Title Child Welfare Specialist IV
Street Address 444 S. Houston
City and County Tulsa
State and Zip Code Oklahoma, 74127
Telephone Number (918) 581-2033
E-mail Address LaTressa.Avery@OKDHS.org

☐ Individual capacity ☒ Official Capacity

Defendant No. 3

Name Charene Nowicki
Job Title Child Welfare Supervisor
Street Address 444 S. Houston
City and County Tulsa

D. Washington vs Oklahoma State Department of Human Services Filed: 06/08/2020

State and Zip Code Oklahoma, 74127
Telephone Number (918) 581-2033
E-mail Address Charene.Nowicki@OKDHS.org

☐ Individual capacity ☒ Official Capacity

Defendant No. 4

Name Margaret Eagler
Job Title Child Welfare Specialist II
Street Address 444 S. Houston
City and County Tulsa
State and Zip Code Oklahoma, 74127
Telephone Number (918) 581-2033
E-mail Address Margaret.Eagler@OKDHS.org

☐ Individual capacity ☒ Official Capacity

Defendant No. 5

Name Vannessa Stinnett
Job Title Child Welfare Worker
Street Address 444 S. Houston
City and County Tulsa
State and Zip Code Oklahoma, 74127
Telephone Number (918) 581-2033
E-mail Address Vanness.Stinnett@OKDHS.org

☐ Individual capacity ☒ Official Capacity

D. Washington vs Oklahoma State Department of Human Services Filed: 06/08/2020

Defendant No. 6

Name Scott Woodson
Job Title CSM Facilitator
Street Address 444 S. Houston
City and County Tulsa
State and Zip Code Oklahoma, 74127
Telephone Number (918) 581-2033
E-mail Address Scott.Woodson@OKDHS.org

☐ Individual capacity ☒ Official Capacity

Defendant No. 7

Name Ashley Dugger
Job Title Child Welfare District Supervisor
Street Address 444 S. Houston
City and County Tulsa
State and Zip Code Oklahoma, 74127
Telephone Number (918) 581-2033
E-mail Address Ashley.Dugger@OKDHS.org

☐ Individual capacity ☒ Official Capacity

Defendant No. 8

Name The Oklahoma State Department of Human Services
Job Title Child Welfare Division
Street Address 444 S. Houston
City and County Tulsa

D. Washington vs Oklahoma State Department of Human Services Filed: 06/08/2020

State and Zip Code Oklahoma, 74127

Telephone Number (918) 581-2033

E-mail Address N/A

☐ Individual capacity

☒ Official Capacity

Dorela Washington
1935 S. 140th E. Ave
Tulsa, OK 74108
(918) 576-1402
06/08/2020

D. Washington vs Oklahoma State Department of Human Services Filed: 06/08/2020

SECTION "D" of Complaint

Defendant No. 1 Child Welfare Specialist Naciska Gilmore

- Intentionally trespass against the Plaintiff. When defaming the Plaintiff's character. Upon submitting fraudulent documents to the court, while in official capacity; with no supporting facts. While also failing to seek local law enforcement to investigate or validate her alleged claims, of a child crime. Resulting in the unjust removal of the Plaintiff's child.
- Abducted the Plaintiff's child. With the use of a fraudulent warrant and excessive force, while in official capacity.
- Concealed the Plaintiff's child. While wrongfully having the minor child medically treated; while in official capacity.
- Continued aiding the agency with its abduction. After medical doctors eliminated the agency's claim for medical neglect, keeping the Plaintiff's child concealed; while in official capacity. Obstructing justice from the Plaintiff.

Defendant No 2. Child Welfare Specialist IV Latressa Avery

- Supported the agency with the abduction of the Plaintiff's minor child. When failing to intervene, while in her official capacity. Upon receiving awareness, of the agency wrongdoings. Taking no action, allowing the misconduct to conspire.
- Supported the agency with the abduction of the Plaintiff's minor child. When Willfully providing fraudulent facts in court, to the Judge. Against the Plaintiff, with lack of evidence. While in official capacity.

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- Denied the Plaintiff's placement option. Refusing to allow the minor child, to be with his natural father. While in the State's custody; due to personal agendas. Depriving the Plaintiff's civil rights as a parent; while in her official capacity.
- Threatened and harassed the Plaintiff, while in official capacity. Upon the Plaintiff seeking relief from the agency, for its misconduct. In means of support to the agency's wrongdoings.

Defendant No 3. Child Welfare Supervisor Charene Nowicki

- Acted out of authority, when presenting a false case to the court, against the plaintiff; without any supporting proof. While in official capacity.
- Supported the agency's misconduct. When failing to intervene upon the awareness of the agency's wrongdoings. While in official capacity. Obstructing justice against the Plaintiff.
- Misused government power; while in official capacity. When wrongfully seeking access to the Plaintiff's remaining children in the home. While threatening the Plaintiff to use the Judge. In attempts to force compliance, of her wrongful demands.
- Harassed the Plaintiff, while misusing government power; while in her official capacity. By restricting access to the Plaintiff's child. As means to force cooperation, with her wrongful demands, for accessing the Plaintiff's other children.
- Aided the agency in its conspiracy against the Plaintiff's minor child. When allowing the agency to continue and set medical appointments; while being in official capacity. Were medical misconduct was taking place. In the forced absence of the mother (Plaintiff).

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While being in her official capacity. Having the full knowledge, the child was medically cleared by doctors. Upon the child being removed, from the home.

Defendant No. 4 Child Welfare Specialist II Margaret Eagler

- intentionally submitted fraudulent claims against the Plaintiff's character; with no supporting evidence. While in her official capacity. When aiding the agency with its criminal activities.
- Willfully admitted to knowing, three months after malicious prosecution; that the Plaintiff has not been judged to have an abuse or neglect charge. However, proceeded with moving the case forward. While in her official capacity.
- Failed to intervene, when review medical evidence. Showing the agency's wrongful custody; for the Plaintiff's minor child. When leaving the case. Supporting the agency, with their wrongdoings. While being in her official capacity.
- Wrongfully misused government power, while in her official capacity. To demand private access to the Plaintiff's child. While threatening the use of judge. As an attempt to force compliance. Aiding the agency's criminal activities.

Defendant No. 5 Child Welfare Worker Vannessa Stinnett

- Failed to intervene and take any action; while in her official capacity. Upon her awareness; for the agency's misconduct. Obstructing justice from the Plaintiff. When keeping quiet. While only passing the information, back to the wrongdoer.

Defendant No. 6 Child Welfare CSM Facilitator Scott Woodson

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- Failed to intervene; while in his official capacity. Upon his awareness, of the agency's misconduct. Supporting the agency with their wrongdoings. While obstructing justice from the Plaintiff. By refusing to act any capacity towards the agency's misconduct. Allowing the case to be transferred into a Permanency Unit.

Defendant No. 7 Child Welfare District Supervisor Ashley Dugger

- Failed to intervene and take action, while in her official capacity. Upon her awareness, of the agency's misconduct. Supporting the agency, in its wrongdoing. By allowing the misconduct to conspire. While obstructing justice from the Plaintiff.

Defendant No. 8 The Oklahoma State Department of Human Services

- The Oklahoma State Department of Human Service is held liable, for the misconduct and criminal activities; of its Child Welfare Division.
- The Oklahoma State Department supported its Child Welfare Division, in its criminal activities. By misusing State power. When illegal filing fraudulent claims with the court, against the Plaintiff, with no supporting proof or evidence. Allowing for the deprivation and violations of the Plaintiff's constitutional and civil rights.

Donna Washington
1935 S. 140th E. Ave
Tulsa, OK 74106
(918) 576-1462
06/08/2020

D. Washington vs Oklahoma State Department of Human Services Filed: 06/05/2020

STATEMENT OF THE CLAIM

1. The Child Welfare Division for the Oklahoma State Department of Human Services, began inflicting constitutional harassment towards the Plaintiff on or around June 13th, 2018. Upon, the Plaintiff completing a medical neglect investigation conducted by its employee Child Welfare Specialist Naciska Gilmore. To which no substantial evidence was found in regards to referral # 1924262. In which the agency began placing threats with the Plaintiff. Asserting false claims against her. While threatening to remove her minor child out of the home.
2. The Plaintiff received another phone call from the agency, inflicting more harassing threats on or around June 14th, 2018. Escalating the threats, to now having the District Attorney involved. In order, to rid the Plaintiff of her parental rights along with the custody right of her minor child. Claiming a medical appointment was purposely neglected. To which later discovery shows, the agency cancelling the Plaintiff's medical appointment. In which the Plaintiff had scheduled for her child.
3. Before the Oklahoma State Department of Human Services, illegally had the child removed from the home on June 15th, 2018. The agency acted under color of law and conspired with Dr. Siegler and his office; to intentionally trespass against the Plaintiff. When knowingly breaking federal laws and falsely using governmental privileges. Upon, illegally accessing the Plaintiff's medical records and altering them. With the intent for gaining unlawful custody, of the Plaintiff's minor child; by alleging medical neglect.
4. The Oklahoma State Department of Human Services, intentionally trespassed against the Plaintiff. When filing fraudulent documents against her and swearing by oath to

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maliciously have her prosecuted in court. While depriving the Plaintiff, a jury of her peers. When placing defamatory statement against her character, without any supporting evidence. By which the Plaintiff was left, to clear her own case. Having it dismissed in court, on November 26th, of 2018.

5. The Child Welfare Division for the Oklahoma State Department of Human Services, deprived the Plaintiff; procedural due justice of the law. When failing to follow rules and regulations, for lawfully obtaining State Emergency Custody; of her minor child. Upon wrongfully having him removed the home, on June 15th, 2018. Depriving the Plaintiff, liberty to a happy family life. When mishandling state power, to remove custody on un-qualifying grounds, according to federal law.
6. Upon, illegally taking the Plaintiff's child into State Emergency Custody; on June 15th, of 2018. The Oklahoma State Department for Human Services, also failed to perform their duties as required by the Constitution. When violating other established federal laws set in place for its agency; upon conducting investigations and removing children from the home. While denying the Plaintiff, procedural due justice of law. When failing to follow proper procedures, for reporting to local law enforcement. For purposes of investigating and/or validating any criminal allegations of a child crime; placed or made by the agency. Before seeking their prosecution, against the Plaintiff.
7. Upon the Plaintiff refusing to open her door to Child Welfare Specialist Naciska Gilmore and Child Welfare Specialist IV Latressa Avery, with the Oklahoma State Department for Human Services; on June 15th, 2018. After being threatened and harassed by their agency. The Oklahoma State Department for Human Services, began to further abuse its

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powers. By engaging in excessive force, in order to gain illegal access to the Plaintiff Child. Intentionally using fraudulent warrants and having eight to ten police officers to trespass and unlawfully break and enter into the Plaintiff's home. Aiming a weapon (automatic rifle i.e. Ak-47, 223, m16) at the Plaintiff and her children. Violating the Plaintiff's constitutional right to be secure in home and in person; along with her rights to procedural due justice of law.

8. Upon the Plaintiff refusing to hand over her minor child. After the agency illegally broke and entered into the Plaintiff's home. The Child Welfare Division for the Oklahoma State Department of Human Service began escalating the excessive force and wrongfully detained the Plaintiff. While threatening to remove her other children, as a means to force compliance. Acting under color of law, upon medically kidnapping the Plaintiff's child from the home. Inflicting mental anguish and distress. Continuing to deprive the Plaintiff of her right to be secure in home and in person. Along with civil rights for a happy family life.
9. Child Welfare Specialist Naciska Gilmore, with the Oklahoma State Department for Human Services, overrode the Plaintiff's parental rights. After illegally removing the child from the home. Unlawfully having her minor child medically treated, later that evening on June 15th, 2018. Claiming false emergency medical care was needed for the minor child. While refusing to provide the Plaintiff, with the information regarding the location of her minor child. Inflicting mental anguish and distress, while depriving the Plaintiff of her parental rights.

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10. After medical doctors reported to the agency that evening, on June 15th, 2018. The Plaintiff's child showed No medical issues or health concerns. Child Welfare Specialist Naciska Gilmore, with the Oklahoma State Department for Human Services, failed to uphold the law and refused to return the minor child back to the Plaintiff. Aiding the agency, with its unjust custody for the minor child. After having the child professionally seen and medically cleared by doctors. Eliminating the agency's claim for their State Emergency Custody.
11. Child Welfare Specialist IV Latressa Avery, with the Oklahoma State Department of Human Services, called the Plaintiff late night; on June 15th, 2018. Refusing to act in any capacity towards the Plaintiff's concern; regarding the agency's unjust custody of her minor child. Informing the Plaintiff, it was too late to have anything fixed and directing her to take things up with the judge at this point. Aiding the agency with its wrongful removal. While denying the Plaintiff's placement option, for her child to be with his natural father; with no giving reason. Further, inflicting mental anguish and distress against the Plaintiff.
12. Immediately upon the Plaintiff seeking support from the natural father, of her minor child. The agency vindictively filed for a Deprived Adjudication and Disposition with immediate termination of parental rights, on June 25th, 2018; for the natural father and the Plaintiff both. Restricting access to the Plaintiff's minor child. While attacking her support system and violating her procedural rights, to due justice of the law. Inflicting even more emotional distress, towards the Plaintiff.

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13. After the Plaintiff placed concerns with the agency, in regards to misconduct of another Child Welfare Worker; with the Oklahoma State Department of Human Services. Child Welfare Specialist IV Latressa Avery, responded to the Plaintiff by email; on June 10th, 2018. Threatening the Plaintiff, to permanently have defamatory statements against her character, placed into her files. Inflicting mental anguish, by engaging in misconduct.
14. Upon the Plaintiff obtaining physical evidence, showing the agency had knowledge; of her minor child being medically cleared for medical neglect. The Plaintiff placed even more concern with the agency. In return Child Welfare CSM Facilitator Scott Woodson, with the Oklahoma State Department for Human Services failed to uphold the law. Reusing to act in any capacity regarding the Plaintiff's case. Allowing the case be transferred into a permanency unit. Instructing the Plaintiff to direct all inquiries with her worker.
15. Upon the Plaintiff providing further awareness to the agency, in regards for having wrongful custody of her minor child. While placing further inquiries, for having him returned home. With Supervisor Charene Nowicki, in the Permanency Unit, for the Oklahoma State Department of Human Services. In return Child Welfare Supervisor Charene Nowicki, aided the agency. When failing to act in any capacity, towards the Plaintiff's complaint. While harassing the Plaintiff and misusing governmental privileges. Upon wrongfully seeking access to the remaining children, in the Plaintiff's home. While withholding visitation, with the Plaintiff's child; as an attempt to force compliance.
16. Upon the Plaintiff placing concern with her Permanency Worker Vannessa Stinnett, with the Oklahoma State Department for Human Services, June 17th, 2018. In regards to

STATEMENT OF THE CLAIM

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negligence and misconduct, of the Permanency Supervisor Charene Nowicki; with the Oklahoma State Department of Human Services. In return, Permanency Worker Vannessa Stinnett failed to act in any capacity towards the Plaintiff's complaint. While assisting the agency. By remaining quiet of the situation. Only passing the knowledge, back to the wrongdoer. Inflicting mental anguish and distress, upon the Plaintiff.

17. The Child Welfare Division for the Oklahoma State Department of Human Services, intentionally conspired with Dr. Seigler and his office. By switching the date for the child's medical appointment and failing to provide the Plaintiff with the information. Denying the Plaintiff the opportunity, to attend the medical procedure of her minor child. From where misconduct had taken place, during testing procedures and inaccurate testing results were used. As an attempt to show justification, for the agency's unlawful Custody, of the Plaintiff's minor child.

18. After the agency conspired to have test result influenced, for the Plaintiff's minor child. The Child Welfare Division for the Oklahoma State Department Human Services, engaged in malice behaviors; requesting life-threatening surgery for the minor child. Immensely, inflicting mental anguish and emotional distress towards the Plaintiff.

19. After the Plaintiff filed a complaint with the Oklahoma State Medical Board, against Dr. Siegler; in June of 2018. Upon the doctor, continuing to work with the agency. In Regards to medical fraud and misconduct, involving her minor child. Child Welfare Supervisor Charene Nowicki, with the Oklahoma State Department for Human Services began harassing the Plaintiff. When spitefully, placing even tighter restrictions on communication; with the Plaintiff's minor child. While demanding access, to the

STATEMENT OF THE CLAIM

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remaining children in the Plaintiff's home. Mishandling government power to force compliance. When threatening to have the judge provide access, to her remaining children.

20. Upon the Plaintiff placing concern with the Child Welfare District Supervisor Ashley Dugger, for the Oklahoma State Department of Human Services. In regards to the misconduct of its employee, Child Welfare Supervisor Charene Nowicki. In return, Child Welfare District Supervisor Ashley Dugger, failed to act in any capacity towards the Plaintiff's complaint. Supporting the agency. By allowing the unlawful actions of the employee, to remain uncorrected. Inflicting more mental anguish against the Plaintiff.
21. The Child Welfare Division for Oklahoma State Department of Human Services, reverted back to malice behaviors. Seeking a second attempt, for placing the Plaintiff's child under major surgery. By changing the child's primary care provider and placing fraudulent medical claims against him. While defaming the Plaintiff's character and depriving her the chance to attend, any of the child's medical appointments. Inflicting mental anguish and distress towards the Plaintiff. Upon the deprivation, of her civil liberties.
22. The Oklahoma State Department of Human Services began creating state dangers; in their attempt, to justify their malicious behavior. By forcing the Plaintiff's minor child to see a therapist, while in state custody. As means for brainwashing and persuading the child. To believe in a false disorder. He does not have. Causing future mental trauma and medical matters for the minor child. Inflicting an enormous amount of emotional distress and mental anguish upon the Plaintiff for the damages caused.

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23. The Child Welfare Division for the Oklahoma State Department of Human Services, further escalated their attempt; to justify their malicious behaviors. When conspiring, with other government offices; to entrap the Plaintiff. By intentionally slandering the Plaintiff's name and submitting fraudulent claims with other governmental agencies. While unlawfully requiring the Plaintiff, to undergo their mental health services and demanding to have those results; released back to their agency. Before custody could be return of her minor child. Inflicting mental harassment towards the Plaintiff.
24. After the Plaintiff hired a private attorney, to gain custody back of her minor child. The Oklahoma State Department of Human Services, spitefully filed for Temporary Order after Petition on September 10th, 2018. To maintain illegal access, to the Plaintiff's minor child. Claiming it would be beneficial for the agency to supervise the case. Further inflicting constitutional harassment, towards the Plaintiff.
25. Upon the Plaintiff hiring a private attorney. The Child Welfare Division for the Oklahoma State Department of Human Services, vindictively began stealing funds and attacking the Plaintiff's financial livelihood. By wrongfully placing child support against the Plaintiff and illegally removing her child's disability check. Inflicting mental anguish and emotional distress against the Plaintiff. While still currently stealing funds. Upon recently removing the Plaintiff's child support payments in May of 2018; to recover foster care fees. During the time her child was wrongfully in State Custody.
26. Child Welfare Specialist II Margaret Eagler with the Oklahoma State Department of Human Services failed to uphold federal laws. Obstructing justice, after admitting to knowing three months after the malicious prosecution; that the Plaintiff has not been

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judged to have an abuse or neglect charge. However, still failed to have custody of the minor child rightfully returned; back to the Plaintiff.

27. After reviewing evidence from the Plaintiff, during a home visit in October of 2018. Child Welfare Specialist II Margaret Eagler with the Oklahoma State Department of Human Services, continued breaking federal laws and obstructing justice. Allowing the Plaintiff's case to remain open. While violating her civil rights for an additional 60 days. Until the Plaintiff, was able to have the case dismissed in court.

28. When, acknowledging the Plaintiff obtained physical evidence from the doctors to clear her name. Upon gaining custody back of her minor child. Child Welfare Specialist II Margaret Eagler with the Oklahoma State Department for Human Services, began demanding private access to the Plaintiff's child. While harassing the Plaintiff and using threat tactics, to involving the judge. As an attempt to force cooperation out of the Plaintiff.

29. The Oklahoma State Department for Human Services, conspired with the child's school to claim seizure activity. As another attempt to sustain fraudulent evidence. Using conflicting reports from the schools and acting on fraudulent claims for medical neglect. Engaging in more malice behaviors.

30. Upon the Plaintiff providing medical care for her minor child; due to the school incident on November 13th, 2018. The Child Welfare Division for the Oklahoma State Department of Human Services, began harassing the Plaintiff; in the middle of her son's doctor visit. While seeking to begin a new investigation. Along with access to interview the

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remaining children in her home. Threatening to report noncompliance, if the Plaintiff does not cooperate with their new demands.

31. Upon the Plaintiff having her case dismissed on November 26th, 2018. The Oklahoma State Department for Human Services, continued to defame the Plaintiff's character. By maintaining fraudulent records against her. Informing the Plaintiff, that although the case was dismissed. It would still read differently in other files. In which Plaintiff requested entire copy of her case; including any personal notes. However, the agency only distributed limited falsified documents. Denying the Plaintiff, the right to see what was on her files; with their agency.

Dana Washington
1935 S. 140th E Ave
Tulsa, OK 74108
(918) 576-1402
de 108/2020

D. Washington vs Oklahoma State Department of Human Services Filed: 06/08/2020

Injuries and Relief

1. The Plaintiff seeks a total of \$39,300 in relief; for the following economic damages:

Economic Damages

- Lawyer fees - \$4,000
- Medical fees - \$500
- Traveling fees - \$300
- Missed work - \$800
- Property damages - \$250
- Mailing fees - \$125
- Copying fees - \$150
- Printing fees - \$175
- Stolen funds with generated late fees \$13,000
- Needed mental health care, with a comprehensive child - centered approach to recovery and healing for the minor child - \$10,000
- Needed mental health care, with a comprehensive client - centered approach to recovery and healing for the Plaintiff - \$10,000

2. The Plaintiff seeks money damages, for relief with each of the following claims:

Non – economic damages

- Civil Tort - Intentional infliction of emotional distress - \$350,000
- Civil Tort - Malicious prosecution - \$350,000
- Civil Tort - Intentional intent to trespass to land - \$350,000

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- Civil Tort - Intentional intent to chettle - \$350,000

Basis for non – economic damages:

- Impact of a home invasion
- Impact from child abduction
- Impact from child concealment
- Impact from excessive force, with use of a deadly weapon and wrongful detainment.
- Psychological effects from unconstitutional treatment towards the Plaintiff
- Psychological effects for unconstitutional treatment towards my minor child
- Impact on daily life associated with these psychological effects
- Emotional distress brought against the Plaintiff
- Mental anguish brought against the Plaintiff
- Sense of loss, betrayal, and trust for the Oklahoma State government and its justice system, in which I reside.

3. The Plaintiff seeks a total of \$500,000 in the amount of punitive damages.

Malice acts of the Department

- Infringement of the Constitutional Law
- Intentional intent to violate other established federal laws
- Intentional misuse of government power
- Home invasion with use of government power
- Child abduction with the use of government power
- Child concealment

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- Failing to put my child's safety 1st
- Conspiring with other government agencies and offices. Were all parties profited off my son.
- Force to suffer at the actions of the Department.
- Created dangers for the mental and emotional delays of my minor child.
- Lack of justification for excessive force.
- Lack of justification for removing the child from the home.
- Lack of justification for depriving the Plaintiff's civil rights
- Lack of justification for prosecuting the Plaintiff.

Basis for Punitive Damages

The agency poorly mishandled, the powers bestowed to them by the Constitution, to protect the public's health, welfare, and morals. The defendants were proven wrong in the court of law. On top of, harassingly admitting their knowledge and awareness for their wrongdoings. However, has not been punished for their criminal and illegal activities; and refuses to amended their actions. Causing the Plaintiff to endure hardship and immense stress, worry and anxiety upon the pursuit of her justice and redress. In which the Plaintiff, is entitled to by the constitutional law.

Regardless of the abductor's motive/s, abduction it is an illegal act that has lasting consequences for the abducted child, the custodial parent, and the abducting family members. It is a crime in all 50 states and in the District of Columbia. The Plaintiff seeks

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punitive damages. To punish the defendant for their outrageous conduct and to deter others from engaging in such conduct, from which is formed on the basis of this lawsuit.

While improving the efforts when implementing and coordinating intervention and prevention programs. With the implementation of legal and effective actions and behaviors. So that it protects public safety, providing only treatment and rehabilitative services truly needed. While tailored to the needs of the client and their families. And To avoid the temptation in overstepping parental rights; while implementing morals rights. By respecting the rights of parents to make decisions regarding their children's healthcare. Without their child being taken into foster care and cps custody.

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06/08/2020